

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
v.                              )    Case No. 1:09-cr-228 (TSE)  
                                  )  
                                  )  
LLOYD MALLORY,              )  
                                  )  
                                  )  
Defendant.                   )

**MOTION IN LIMINE TO PRECLUDE PROPOSED  
EXPERT TESTIMONY, OR, IN THE ALTERNATIVE, FOR CONTINUANCE**

Defendant Lloyd Mallory, by counsel, moves this Court in limine to preclude the proposed testimony of Special Agent Michael Klepac, or, in the alternative, continue the trial for a period of time sufficient to permit Mr. Mallory to locate and consult with a potential rebuttal expert and determine whether he will introduce rebuttal expert testimony at trial. The grounds for this motion are stated in a memorandum in support filed concurrently with this motion.

LLOYD MALLORY  
By Counsel

/s/

\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of February 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Stephen P. Learned, Esq.  
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/s/

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